REMARKS

In response to the Office Action dated April 9, 2007, the Assignee respectfully requests reconsideration in light of the following remarks. The Assignee respectfully submits that the pending claims already distinguish over the cited documents to *Osborn* and *Koskinen*.

Claims 1, 3, 5-6, 8-13, and 15 are pending in this application. Claims 2, 7, and 14 were previously canceled without prejudice or disclaimer.

The United States Patent and Trademark Office (the "Office") rejected claims 1, 3, 5-6, and 8-15 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,119,022 to Osborn, *et al.* in view of U.S. Patent 6,788,673 to Koskinen.

The Assignee shows, however, that the pending claims already recite features that are not taught or suggested by *Osborn* and *Koskinen*. The pending claims, therefore, cannot be obvious over these documents, whether considered alone or in any combination.

Rejection of Claims Under 35 U.S.C. § 103

The Office rejected claims 1, 3, 5-6, and 8-15 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,119,022 to Osborn, *et al.* in view of U.S. Patent 6,788,673 to Koskinen. Yet these claims cannot be considered obvious over *Osborn* and *Koskinen*. The pending claims already recite, or incorporate, features that are not taught or suggested by the combined teaching of *Osborn* and *Koskinen*. Independent claim 1, for example, recites "*a base station receiving the outgoing call and wirelessly transmitting to an accessory device*" (emphasis added). The "*base station discard[s] a voice portion of the outgoing call and wirelessly transmit[s] only called line identification information to the accessory device, the called line identification information associated with the outgoing call to a called number*" (emphasis added). The "*accessory device ... wirelessly receiv[es] the called line identification information and the display continuously presenting a called telephone number and a duration of the outgoing call, the processor comparing the called telephone number to selected telephone*

numbers stored in the memory, and when a match is found, then upon origination the processor causing the alerting circuitry to alert of the outgoing call" (emphasis added). The "*accessory device continuously presents the called telephone number to the subscriber, thus informing the subscriber of a called party's identity associated with the outgoing call*" (emphasis added). Independent claim 1 is reproduced below, and independent claims 8 and 13 recite similar features.

> **[c01]** A system for alerting a subscriber of an outgoing call, the system comprising:
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> a base station receiving the outgoing call and wirelessly transmitting to an accessory device;
>
> the base station discarding a voice portion of the outgoing call and wirelessly transmitting only called line identification information to the accessory device, the called line identification information associated with the outgoing call to a called number; and
>
> the accessory device consisting of a processor, memory, alerting circuitry, a wireless receiver and a display, the receiver wirelessly receiving the called line identification information and the display continuously presenting a called telephone number and a duration of the outgoing call, the processor comparing the called telephone number to selected telephone numbers stored in the memory, and when a match is found, then upon origination the processor causing the alerting circuitry to alert of the outgoing call,
>
> wherein the accessory device continuously presents the called telephone number to the subscriber, thus informing the subscriber of a called party's identity associated with the outgoing call.

The proposed combination of *Osborn* and *Koskinen* cannot obviate these features. Examiner Ekong is correct — *Osborn* and *Koskinen* teach an accessory unit that alerts a user to calls. The combined teaching of *Osborn* and *Koskinen*, however, only alerts of incoming calls. The combined teaching of *Osborn* and *Koskinen* does not disclose, teach, or even suggest alerts for outgoing calls, as the pending claims recite.

The patent to Osborn, *et al.* provides an explanation of its "incoming call alert system." U.S. Patent 6,119,022 to Osborn, *et al.* at column 4, line 18 (emphasis added). Control circuitry

monitors for "receipt of an incoming call." *Id.* at column 4, lines 52-53 (emphasis added). "It is highly desirable for the source of an incoming call ... to be identified." *Id.* at column 6, lines 19-20 (emphasis added). CallerID information may be included in a ring command message. *See id.* at column 6, lines 25-29. Memory may store CallerID information to be compared to the incoming call. U.S. Patent 6,119,022 to Osborn, *et al.* at column 6, lines 35-40. The call may be "automatically dispatched," such as "sending the incoming call to a voicemail box, answering the incoming call, or ignoring the incoming call." *Id.* at column 6, lines 40-44. *See also id.* at column 1, lines 7-10; at column 2, line 18, line 26, and line 45; at column 3, line 12, line 16, line 23, line 37, and line 46; and numerous additional locations.

Moreover, *Osborn* and *Koskinen* are silent to other features. Independent claims 1, 8, and 13 similarly recite "*the base station discarding a voice portion of the outgoing call and wirelessly transmitting only called line identification information to the accessory device, the called line identification information associated with the outgoing call to a called number.*" The Office cites to column 6, lines 15-62 of *Koskinen*, but the Assignee finds no such teaching. These passages of *Koskinen* fail to teach or suggest anything related to "*discarding a voice portion of the outgoing call*," as recited in independent claims 1, 8, and 13. Column 6, lines 1-67 of *Koskinen* are reproduced below:

> The operation of a method according to a preferred embodiment of the invention will be described in the following. For example, the user has started an e-mail application or a WEB browser application with a data processing device. With the WEB browser application the user can examine, for instance, information contained in a server S, which is connected to the Internet data network NW2 via a router R1 and a local area network NW3, as is known as such in the art. The user can also receive an e-mail message sent from a workstation RH connected to a local area network NW3. A packet-switched connection has been activated in a mobile station MS, whereby information can be transmitted as packets between the mobile communication system NW1 and the mobile station MS, as is known as such in the art. This is illustrated by block 101 in the flowchart of FIG. 1. When a call is coming to the mobile terminal MS, e.g. from a telephone P of a public switched telephone network PSTN, a reception step is carried out in the mobile terminal, where, for instance, information about the incoming call is received. In addition, an examination step is carried out, where the caller identification information CLI transmitted in connection with the call, such as the calling telephone number, is examined. Preferably it is also examined in the

examination step whether any reference items have been saved in the mobile terminal MS. If at least one reference item is found, the calling line identification information CLI is compared to at least one reference item saved in the mobile terminal MS, such as the information of the telephone directory database DB1 or corresponding information (block 102), preferably a telephone number PN. If a telephone number PN corresponding to the caller line identity CLI is found in the telephone directory database DB1, an examination step is preferably carried out (block 103), in which it is examined what the priority class specified for the telephone number PN is. This can be carried out so that it is examined at first in which caller group the telephone number belongs. If a caller group (e.g. the caller group identifier .noteq.0) has been specified in the telephone directory information, the caller group identifier GNO is retrieved from the directory data ID. On the basis of this caller group identifier GNO, the priority class CL2 specified for this caller group can be found out from the caller group database DB2. If a caller group has not been specified (e.g. the caller group identifier=0), the priority class specified for the telephone number PN is examined from the priority class information CL1 of the telephone directory database DB1.

After that, a decision step is carried out in the method, in which step it is decided whether the call is answered or not. In the decision step, the priority class discovered in the examination step is preferably used as a criterion for the decision-making. If the priority class is the first priority class, operation continues from block 104. Then the mobile terminal MS sets the packet-switched connection in the suspended mode and produces a ringing tone to inform the user of the incoming call. At the same time, the mobile terminal MS can show the caller's telephone number or a corresponding name on the display. If the priority class specified for the caller is not the first priority class, or if there was no priority class information, operation moves from block 103 to block 105. Then the telephone call is not established, and as a response to the mobile communication system NW1 the mobile terminal MS preferably sends a User Determined User Busy (UDUB) signal. The packet-switched connection is then resumed normally (block 106). After the user has terminated the packet-switched connection, he/she is preferably notified of an arrived call, which was not answered, and possibly also of the telephone number CLI, from which the call was coming (block 107).

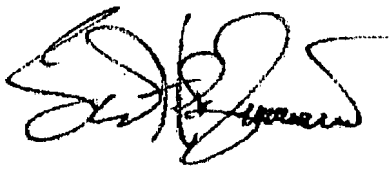
U.S. Patent 6,788,673 to Koskinen at column 6, lines 1-67. No where do these passages make any teaching or suggestion of "*discarding a voice portion of the outgoing call*," as recited in independent claims 1, 8, and 13.

Claims 1, 3, 5-6, and 8-15, then, cannot be obvious. The pending claims already recite, or incorporate, many features that are not taught or suggested by the combined teaching of *Osborn*

and *Koskinen*. As the above paragraphs explained, *Osborn* and *Koskinen* only alerts of incoming calls. The pending claims, however, provide alerts for outgoing calls. The combined teaching of *Osborn* and *Koskinen* is also entirely silent to "*discarding a voice portion of the outgoing call*." *Osborn* and *Koskinen*, quite simply, are entirely silent to the claimed features and to even the entire concept. One of ordinary skill in the art, then, would not think that claims 1, 3, 5-6, and 8-15 are obvious. Examiner Ekong is thus respectfully requested to remove the § 103 (a) rejection of these claims.

If any questions arise, the Office is requested to contact the undersigned at (919) 469-2629 or *scott@scottzimmerman.com*.

Respectfully submitted,



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